



AGENDA
Committee of the Whole
Monday, July 11, 2016 – 5:30 p.m.
City Council Chambers, City Hall 10th Floor

Councilmember Judi Brown Clarke, Chair
Councilmember Jessica Yorko, Vice Chair

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes:**
 - June 27, 2016
4. **Public Comment on Agenda Items**
5. **Presentation:**
 - LBWL – Central Substation Project
6. **Discussion/Action:**
 - A.) FOIA Policy
 - B.) Budget Outlook 2017/2018
 - Department Budget Template
 - Draft FY2017/2018 Budget Policies & Priorities
 - C.) Legal Opinion and Clarification on Council's Capacity to Amend Mayoral Referrals.
7. **Place on File**

Communication; H. Frechtling of Locke Township RE: Scott Sunken Garden
Communication; J. Scott Teegardin; RE: Scott Sunken Garden
8. **Other**
9. **Adjourn**

The City of Lansing's Mission is to ensure quality of life by:

- I. Promoting a vibrant, safe, healthy and inclusive community that provides opportunity for personal and economic growth for residents, businesses and visitors
- II. Securing short and long term financial stability through prudent management of city resources.
- III. Providing reliable, efficient and quality services that are responsive to the needs of residents and businesses.
- IV. Adopting sustainable practices that protect and enhance our cultural, natural and historical resources.
- V. Facilitating regional collaboration and connecting communities



MINUTES
Committee of the Whole
Monday, June 27, 2016 @ 5:30 p.m.
Council Chambers

CALL TO ORDER

The meeting was called to order at 5:30 p.m.

PRESENT

Councilmember Brown Clarke
Councilmember Jessica Yorko
Councilmember Patricia Spitzley
Councilmember Adam Hussain - excused
Councilmember Kathie Dunbar
Councilmember Carol Wood
Councilmember Jody Washington
Councilmember Tina Houghton —excused

OTHERS PRESENT

Sherrie Boak, Council Staff
Joseph Abood, Interim City Attorney
Randy Hannan, Mayor Executive Assistant
Ange Bennett, Finance Director
Jim Smiertka
Elaine Womboldt
Barbara Lance
Mark Mello
James Harrington
Carolyn Condell
Sharon Burton
Chris Hackbarth, MML
Bob Kleine, GLEC, former Dir. Of Michigan House Fiscal Agency
Mitch Bean, GLEC; former State Treasurer
Mary Ann Prince
Chad Gamble, Public Service
Christopher Mumby, Public Service
George Yarzabek, IT

Minutes

MOTION BY COUNCIL MEMBER YORKO TO APPROVE THE MINUTES FROM MAY 9, 2016 AS PRESENTED. MOTION CARRIED 6-0.

MOTION BY COUNCIL MEMBER YORKO TO APPROVE THE MINUTES FROM MAY 23, 2016 AS PRESENTED. MOTION CARRIED 6-0.

MOTION BY COUNCIL MEMBER YORKO TO APPROVE THE MINUTES FROM JUNE 13, 2016 AS PRESENTED. MOTION CARRIED 6-0.

Public Comment

Ms. Womboldt spoke in support of pursuing the findings of the settlement agreement for former city attorney McIntyre, and requested that Council ask Mr. Smiertka if he will be representing Council in the future.

Ms. Prince spoke in support of the appointment of Mr. Smiertka.

Mr. Mello voiced his frustration with FOIA requests thru the City Attorney office.

Ms. Lance spoke on behalf of her spouse who was a City employee, whose vehicle was damaged by paint over spray from a City contractor on a City parking lot. The issue included no results from the City Attorney office on the claim since November 2015.

Presentations

Michigan Municipal League (MML)

Present was Mr. Hackbarth with MML, Bob Kleine with GLEC and Mitch Bean with GLEC. They distributed a power point hand out and noted that the plan was what the MML used on the path of the project over the last year, and it is a way to educate the Legislature on the system municipalities work with. They have also have engaged outside parties to provide a third party on the structure. Mr. Kleine then went thru the report highlighting that Michigan cities were hit hard over the last years because of the restructure of auto industry, other cuts. There was a revenue decline in Michigan, and Michigan was the only state 2002-2012 with a revenue decline. In 2016 it was estimated they would be \$580 million below funding.

The Committee was referred to the power point which broke down the \$7.5 Billion in lost revenue sharing since 2002, which noted Lansing at \$63,552,853; Detroit at \$827,670,297; Flint at \$62,047,234; and Kalamazoo at \$38,302,529 to name a few.

Council President Brown Clarke noted that there are things that Council can and cannot control, so they need to make decisions from their perspective at the tax base and look at the basics to still grow. This will impact the policies they make. Council Member Washington added that Council needs to take care of the property tax and income tax, then asked the presenters if there was a projection for the next few years, or if it is going to continue to lose money, where is business tax cut going. Mr. Bean noted that in the last 10-15 years, the first cuts have been to the cities, so legislatures don't have to cut at the state level, and it will get worse. Council Member Washington then asked how the cities will be affected by the Flint water crisis and the assistance that was given the Detroit Public Schools. Mr. Hackbarth stated that the legislature has not announced their policies, what it will cost or what the liability will be to the cities. They did put in an effect an infrastructure fund at about \$5 million; however this is an economic recovery period, so most reserves are gone.

Council Member Dunbar asked for advice on how to explain to the residents at the local level, and if the MML has information on the cuts and how there is still no job growth. Mr. Kleine

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agreed better education is needed, and that Michigan is growing at the same rate as the National economy but investing money in wrong places is catching up so it needs to change.

Council Member Wood asked the presenters where they see things going with cities such as Lansing that have given out and created tax incentives for businesses. Mr. Hackbarth acknowledged that Lansing was not the only community that did and is doing that, and they too are reaching the breaking point. Council Member Wood then asked if there are any studies on abatements that have been given where at the end of their time; the businesses are just moving to another community and starting the incentive process again. Mr. Hackbarth acknowledged that the MML has not done a study for that.

Council Member Wood asked the MML representatives for any suggestions for Council. Council President Brown Clarke asked Mr. Hollister to speak on behalf of the FHT, and Mr. Hollister referred to his study in 2015 noting they are continuing to look at resolutions. Council President Brown Clarke asked the Council to review all the information for a future meeting discussion.

Council Member Spitzley stepped away from the meeting at 6:24 p.m.

Council Member Wood acknowledged that recent studies by the AARP that the senior population and income are increasing with entrepreneurs, and they are staying in Lansing more than the millennium generation.

Council Member Spitzley returned to the meeting at 6:25 p.m.

Council President Brown Clarke asked the Committee to consider the next steps and what the FHT is going to do to guide them.

CITYWORKS

Mr. Hannan stepped away from the meeting at 6:29 p.m.

Mr. Gamble provided introductions of his staff present, and began the power point presentation. Council Member Wood asked for handouts of the power point. Mr. Gamble and Mr. Yarzabek stated they did not and could not provide handouts because they created a power point that was too detailed, interactive and had a video embedded in it. The group then watched the presentation, and Council President Brown Clarke asked how many intake workers the City has taking the complaints since they have to be called in and are customer generated. Mr. Gamble stated there are five (5) O & M and multiple people in Public Service. Council Member Spitzley asked when the initial complaint comes in and entered in the field, if someone comes back into the office reenter information. Mr. Yarzabek stated that is all up to the user, and how Public Service will decide since it is a business management decision. Council Member Spitzley then asked if Cityworks can take other departments information and populate it into Cityworks. Mr. Gamble confirmed however noted not personal information. As for the BWL information, it does take their name and address to populate a complaint, thus lowering time to have office clerk to put in.

Council Member Wood asked if anyone with the City can access the web base at look into the system to see if a complaint had been filed and the status. Mr. Yarzabek stated they would have to be given access, and Mr. Gamble added that currently the Council does not just the administrative, and if there is information Council needs they provide that to them. Currently right not Council cannot view to see if a complaint has been entered or if it has been addressed. Council Member Wood informed them of a tree down blocking the road at Edwin and Blair. She then asked if, without having access to enter information, she can look at something to see if it has already been sent in, and Mr. Yarzabek stated that can be viewed in

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the public portal. Council Member Wood then asked to view the map function, at which Mr. Yarzabek stated they were just beginning to set that up and it is only being used internally.

Council Member Washington stepped away from the meeting at 6:55 p.m.

RESOLUTION – 2015/2016 Budget Amendment

Ms. Bennett outline the amendment which includes allocations the budgeted vacancy factor, reimbursement amounts for the special elections to offset those election costs, additional appropriations for information technology security enhancements, facility repair costs, Downtown Lansing promotion expenditures that exceeded the budgeted amount and street lighting.

Council Member Washington returned to the meeting at 6:57 p.m.

The changes in the vacancy factor are being proposed to be used to offset the cost of 10 patrol cars and 1 ambulance.

Mr. Hannan returned to the meeting at 7:00 p.m.

Council Member Wood asked what the amount of the vacancy factor was currently, and Ms. Bennett was not able to provide the current amount but stated in mid-May it was \$825,000. Council Member Wood asked what the \$430,000 facility repairs at Public Service would be, and Ms. Bennett clarified those are for various repairs to the City buildings. Council Member Wood then asked if it had to do with the recent NAPA contract addition, and Ms. Bennett stated no. Council Member Wood then asked if the dollars were from the public safety millage, and Ms. Bennett stated that the budget actually exceeded the millage, so this was a way to fund it. Council Member Wood asked them to roll those dollars over and front load to the Fire Department because the recent 10 retirees for Fire that they will now have positions to fill. Ms. Bennett stated the public safety millage is up in 2017, and the hiring should be done in 2017. Ms. Bennett added that the current positions are budgeted for in 2017, so there is no need to carry forward funds to fill the positions.

Council Member Dunbar asked Ms. Bennett who asked for or recommended getting 10 new police cars and one ambulance, or were they a projection. Ms. Bennett stated both the LPD and LFD requested them. Council Member Spitzley asked if there were already vehicles budgeted for in 2017 or are these additional. Ms. Bennett confirmed these are additional, and in FY2017 there is a sizable appropriation, but now there is additional money making those investments possible.

Council Member Spitzley asked for examples of facility repairs for the \$430,000 requested, and Ms. Bennett provided an example of a boiler leak and minor items that add up.

Council Member Wood asked why the vehicle funds were coming out of the General Fund instead of the fleet fund. Ms. Bennett detailed that the fleet fund is funded by various funds, and does not generate money this will be a General Fund contribution to the fleet fund.

Council Member Washington asked how many vehicles are in the LPD fleet, and how many will be replaced. Ms. Bennett could not provide the exact number but guessed around 16. She was asked to ask Public Safety for the number.

Council President Brown Clarke stated her opinion that this was not the best model to address vehicles and asked for a percentage of the vacancies are being covered by overtime.

MOTION BY COUNCIL MEMBER YORKO TO APPROVE THE RESOLUTION FOR THE FY2016 BUDGET AMENDMENTS. MOTION FAILED 5-1.

RESOLUTION –Confirmation of the Appointment of a City Attorney

Mr. Smiertka made himself available for questions, and acknowledged the Council for their time and earlier conversations. Council Member Washington asked his opinion on the LGBTQ

community and addressing their concerns and Mr. Smiertka stated he will follow the Law for all residents, noting that the City Attorney does not make policy, Council makes policy. All Law will do is find out what that Law is and inform Council. Council Member Wood asked Mr. Smiertka who he will represent as City Attorney. Mr. Smiertka cited the Charter which states the City Attorney is responsible to the Mayor and Council and legal affairs are properly managed. He continued by stating that Council is responsible for legislative matters, and the City Attorney will represent Council on those matters. The City Attorney represents the Mayor for Administrative matters. Mr. Smiertka did acknowledge that sometimes legislative and administrative overlap, at which point the City Attorney will use experience and wisdom to find a solution. Council Member Wood asked Mr. Smiertka to pledge that he would not make any support contribution to a Council Member or the Mayor. Mr. Smiertka answered that as a professional he recognizes it is difficult for local elected officials, but does not believe in writing a check for personal gain, and Council believes it would provide a conflict he would be willing to commit to that statement.

MOTION BY COUNCIL MEMBER DUNBAR TO APPROVE THE RESOLUTION FOR THE CONFIRMATION OF THE APPOINTMENT OF CITY ATTORNEY TO JAMES SMIERTKA.
MOTION CARRIED 6-0.

FOIA POLICY

Council Staff distributed the FOIA Log provided by Mr. Abood prior to the meeting. Council President Brown Clarke then referred everyone to the current FOIA Policy that was adopted in 2015, and page 10 which spoke to procedures for tracking received, protocol, etc. Mr. Abood outlined the FOIA log, noting the document was broken down by items with cost estimates, no responses, and pending. The majority of the pending work LPD FOIA's. Mr. Abood then referred to the earlier public comment on FOIA and status, and stated that one was treated as a claim, and he will follow up on that. Council Member Spitzley acknowledged Mr. Abood for the information and his work on the FOIA, however noted there is a concern with the delay in the FOIA since the purpose of a FOIA is so citizens can have insight into the city workings. Law is preventing them from getting information they are due under the law, and the City is setting themselves up for legal challenges. Council Member Spitzley then asked Mr. Abood if there was a central FOIA data base. Mr. Abood stated that LPD reviews the FOIA requests then Law reviews them also to redact any inappropriate information. This review also requires review of car video, car audio and body cameras. There is currently a new case out there that addresses FOIAs which will help the City moving forward. Council Member Spitzley asked Mr. Abood to continue to update the Council, and asked Council President Brown Clarke if she has access to the log, and Council President Brown Clarke stated no, she is only informed when there is an appeal to the FOIA denial or supplied information. Council Member Wood asked for a monthly update on the FOIA log so Council can address any questions they are approached with. Mr. Abood agreed, and also agreed that there needs to be a procedure in place where all FOIA requests are responded to in 10 days, even if just with an extension. Council President Brown Clarke asked Mr. Abood to have Law update Council on a monthly basis at their COW meetings.

BUDGET OUTLOOK 2017/2018

Asked committee to look at the process as a draft, and the Committee will discuss at the next meeting.

PLACE ON FILE

- Communication on Peace of Mind Elite Club, LLC. - Placed on file.

RESOLUTION – 2015/2016 Budget Amendment

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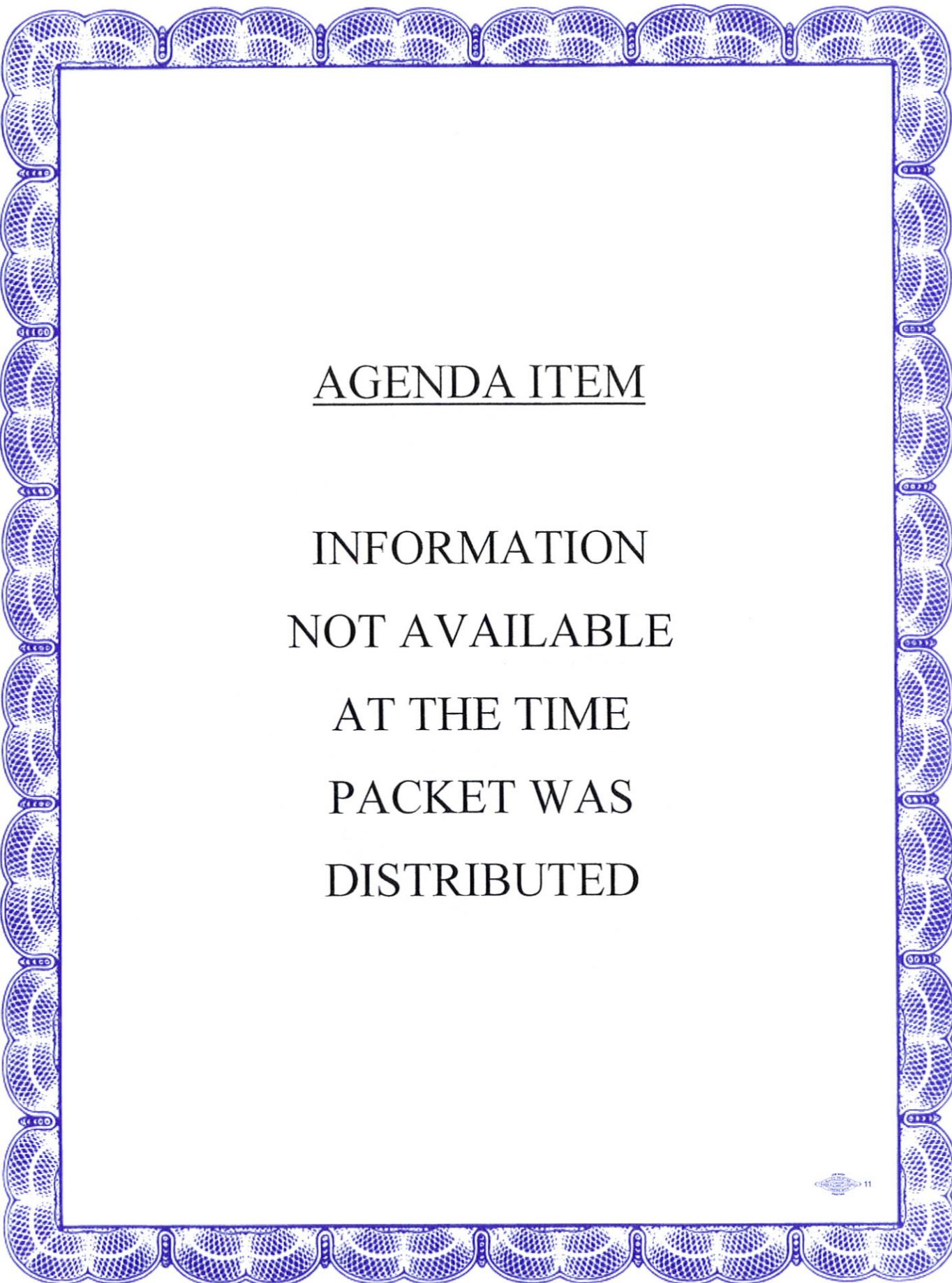
Mr. Abood informed the Council that after review of the Charter, the FY2016 Budget Amendment does not need to pass in Committee by 6 votes, it only needs 5.

MOTION PASSED 5-1 FOR THE FY2016 BUDGET AMENDMENTS.

Council Member Dunbar inquired as to the Resolution on the Budget Amendment should be placed on the Council agenda for the same night, since it will require 6 votes at that meeting and if will fail. Council President Brown Clarke confirmed it can be pulled from the agenda. Mr. Hannan reminded the Committee that if there is a delay they will not be able to transfer the amounts in the FY budget, and this would be come notes in the annual audit. Council Member Wood asked how under another resolution on the Council agenda for tonight, the Finance Department and HRCS are asking for carryforwards 10 months after the FY2015 year end, and yet the Administration cannot wait 2 weeks for a full Council on this one. Ms. Bennett noted her understanding that those carryforwards from FY2015 are going into the current FY2016 year so she saw no concern or similarity.

ADJOURN

The meeting was adjourned at 7:45 p.m.
Respectfully Submitted by, Sherrie Boak
Recording Secretary, Lansing City Council
Approved by the Committee on



AGENDA ITEM

INFORMATION
NOT AVAILABLE
AT THE TIME
PACKET WAS
DISTRIBUTED

RESOLUTION #2015-184

**BY THE COMMITTEE OF THE WHOLE
BY THE CITY COUNCIL OF THE CITY OF LANSING**

WHEREAS, the City Charter provides that City records shall be available to the public in accordance with State law; and

WHEREAS, by Act 442 of 1976, the State adopted what is commonly known as the Freedom of Information Act ("FOIA"); and

WHEREAS, the City is governed by and provides public records pursuant to the FOIA; and

WHEREAS, the City on February 22, 2010 under Resolution 2010-051 adopted policies and procedures to comply with the FOIA; and

WHEREAS, the State has adopted significant amendments to the FOIA pursuant to PA 563 of 2014, effective on July 1, 2015; and

WHEREAS, the amendments to the FOIA require the City to adopt Procedures and Guidelines, and a Written Public Summary of those Procedures and Guidelines, in order to charge for FOIA requests; and

WHEREAS, the Procedures and Guidelines and the Written Public Summary must be adopted prior to July 1, 2015; and

WHEREAS, the Procedures and Guidelines and the Written Summary have been presented to Council for consideration and approval.

NOW, THEREFORE, BE IT RESOLVED that the City of Lansing hereby adopts and approves the Procedures and Guidelines and the Written Public Summary in substantially the form presented.



7/10/2015
4:29:37 PM

SIGNED BY
CHRIS SWOPE
LANSING CITY CLERK

CITY OF LANSING

FOIA PROCEDURES AND GUIDELINESⁱ

Preamble: Statement of Principles

It is the policy of the City of Lansing (hereinafter, “City” or “Lansing”) that all persons, except those incarcerated, consistent with the Michigan Freedom of Information Act (FOIA), are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees. The people shall be informed so that they fully participate in the democratic process.

The City’s policy with respect to FOIA requests is to comply with State law in all respects and to respond to FOIA requests in a consistent, fair, and even-handed manner regardless of who makes such a request.

The City acknowledges that it has a legal obligation to disclose all nonexempt public records in its possession pursuant to a FOIA request. The City acknowledges that sometimes it is necessary to invoke the exemptions identified under FOIA in order to ensure the effective operation of government and to protect the privacy of individuals.

The City will protect the public's interest in disclosure, while balancing the requirement to withhold or redact portions of certain records. The City’s policy is to disclose public records consistent with and in compliance with State law.

The City has established the following written procedures and guidelines to implement the FOIA and will create a written public summary of the specific procedures and guidelines relevant to the general public regarding how to submit written requests to the public body and explaining how to understand a public body's written responses, deposit requirements, fee calculations, and avenues for challenge and appeal. The written public summary will be written in a manner so as to be easily understood by the general public.

As used herein, “City” or “City of Lansing” includes all agencies, departments, and boards of the City.

Section 1: General Policies

The City, acting pursuant to the authority at MCL 15.236, designates the Chief Deputy City Attorney as the FOIA Coordinator for the City. He or she is authorized to designate others to act on his or her behalf to accept and process written requests for the City’s public records and approve denials.

If a request for a public record is received by fax or email, the request is deemed to have been received on the following business day. If a request is sent by email and delivered to a City spam or junk-mail folder, the request is not deemed received until one day after the FOIA Coordinator first becomes aware of the request. The FOIA Coordinator shall note in the FOIA log both the date the request was delivered to the spam or junk-mail folder and the date the FOIA Coordinator became aware of the request.

The FOIA Coordinator may, in his or her discretion, implement administrative rules, consistent with State law and these Procedures and Guidelines to administer the acceptance and processing of FOIA requests.

The City is not obligated to create a new public record or make a compilation or summary of information which does not already exist. The FOIA Coordinator shall keep a copy of all written requests for public records received by the City on file for a period of at least one year.

The City will make this Procedures and Guidelines document and the Written Public Summary publicly available without charge. A copy of this Procedures and Guidelines document and the City’s Written Public Summary

must be publicly available by providing free copies both in the City's response to a written request and upon request by visitors at the Office of the City Clerk, Office of the City Attorney, the Board of Water and Light, and at the Lansing Police Department Central Records. This Procedures and Guidelines document and the City's Written Public Summary will be maintained on the City's website at www.lansingmi.gov, as well as at www.lbwl.org, so a link to those documents will be provided in lieu of providing paper copies when possible.

Section 2: Requesting a Public Record

A person requesting to inspect or obtain copies of public records prepared, owned, used, possessed, or retained by the City must do so in writing. A request must sufficiently describe a public record so as to enable City personnel to identify and find the requested public record. No specific form to submit a request for a public record is required. However the FOIA Coordinator may make available a FOIA Request Form for use by the public.

Requests for LPD incident reports, accident, and traffic crash reports should be directed to LPD at the below address. Reports for Lansing Board of Water and Light records should be directed to the BWL at the below address. All other requests should be directed to the Office of the City Attorney.

Written requests for public records may be submitted in person or by mail, fax, or email to the FOIA Coordinator the following addresses:

For LPD report requests:

FOIA COORDINATOR
Records Division
120 W. Michigan Avenue, 1st Floor
Lansing, MI 48993
Email: LPD.FOIA@lansingmi.gov
Fax: 517/483-

For all other requests:

FOIA COORDINATOR
Office of the City Attorney
124 W. Michigan Avenue, 5th Floor
Lansing, MI 48893
Email: FOIA.Request@lansingmi.gov
Fax: 517/483-4018

For Board of Water & Light record requests:

FOIA COORDINATOR
Lansing Board of Water and Light
PO Box 13007
Lansing, MI 48901-3007
Email: FOIARequests@lbwl.com
Fax: 517-702-6743

Upon their receipt or discovery, requests for public records misdirected shall be promptly forwarded to the appropriate FOIA Coordinator for processing.

A person may request that public records be provided on non-paper physical media, emailed or other otherwise provided to him or her in digital form in lieu of paper copies. The City will comply with the request only if it possesses the necessary technological capability to provide records in the requested non-paper physical media format.

A person may subscribe to future issues of public records that are created, issued or disseminated by the City on a regular basis. A subscription is valid for up to 6 months and may be renewed by the subscriber.

A person serving a sentence of imprisonment in a local, state or federal correctional facility is not entitled to submit a request for a public record. The FOIA Coordinator will deny all such requests.

Section 3: Processing a Request

Unless otherwise agreed to in writing by the person making the request, the City will issue a response within 5 business days of receipt of a FOIA request. If a request is received by fax, email or other electronic transmission, the request is deemed to have been received on the following business day.

The City will respond to a request in one of the following ways:

- Grant the request.
- Issue a written notice denying the request.
- Grant the request in part and issue a written notice denying in part the request.
- Issue a notice indicating that due to the nature of the request the City needs an additional 10 business days to respond for a total of no more than 15 business days. Only one such extension is permitted.
- Issue a written notice indicating that the public record requested is available at no charge on the City's website.

When a request is granted:

If the request is granted, or granted in part, the FOIA Coordinator will require that payment be made in full for the allowable fees associated with responding to the request before the public record is made available. The FOIA Coordinator shall provide a detailed itemization of the allowable costs incurred to process the request to the person making the request. A copy of these Procedures and Guidelines and the Written Public Summary will be provided to the requestor free of charge with the response to a written request for public records, provided however, that because these Procedures and Guidelines, and the Written Public Summary are maintained on the City's website at www.lansingmi.gov, a link to the Procedures and Guidelines and the Written Public Summary may be provided in lieu of providing paper copies of those documents.

If the cost of processing a FOIA request is \$50 or less, the requestor will be notified of the amount due and where the documents can be obtained.

If the cost of processing a FOIA request is expected to exceed \$50 based on a good-faith calculation, or if the requestor has not paid in full for a previously granted request, the City will require a good-faith deposit pursuant to Section 4 of this policy before processing the request. In making the request for a good-faith deposit the FOIA Coordinator shall provide the requestor with a detailed itemization of the allowable costs estimated to be incurred by the City to process the request and also provide a best efforts estimate of a time frame it will take the City to provide the records to the requestor. The best efforts estimate shall be nonbinding on the City, but will be made in good faith and will strive to be reasonably accurate, given the nature of the request in the particular instance, so as to provide the requested records in a manner based on the public policy expressed by Section 1 of the FOIA.

When a request is denied or denied in part:

If the request is denied or denied in part, the FOIA Coordinator will issue a Notice of Denial which shall provide in the applicable circumstance:

- An explanation as to why a requested public record is exempt from disclosure; or
- A certificate that the requested record does not exist under the name or description provided by the requestor, or another name reasonably known by the City; or

- An explanation or description of the public record or information within a public record that is separated or deleted from the public record; and
- An explanation of the person's right to submit an appeal of the denial to the President of City Council, or seek judicial review in the Ingham County Circuit Court;
- An explanation of the right to receive attorneys' fees, costs, and disbursements as well as actual or compensatory damages, and punitive damages of \$1,000, should they prevail in Circuit Court.
- The Notice of Denial shall be signed by the FOIA Coordinator.

If a request does not sufficiently describe a public record, the FOIA Coordinator may, in lieu of issuing a Notice of Denial indicating that the request is deficient, seek clarification or amendment of the request by the person making the request. Any clarification or amendment will be considered a new request subject to the timelines described in this Section.

Requests to inspect public records:

The City shall provide reasonable facilities and opportunities for persons to examine and inspect public records during normal business hours. The FOIA Coordinator is authorized to promulgate rules regulating the manner in which records may be viewed so as to protect City records from loss, alteration, mutilation or destruction and to prevent excessive interference with normal City operations. Requests for examination and inspection are subject to fees as provided by the Act.

Section 4: Fee Deposits

If the fee estimate is expected to exceed \$50.00 based on a good-faith calculation, the requestor will be asked to provide a deposit not exceeding one-half of the total estimated fee.

If a request for public records is from a person who has not paid the City in full for copies of public records made in fulfillment of a previously granted written request, the FOIA Coordinator will require a deposit of 100% of the estimated processing fee before beginning to search for a public record for any subsequent written request by that person when all of the following conditions exist:

- The final fee for the prior written request is not more than 105% of the estimated fee;
- The public records made available contained the information sought in the prior written request and remain in the City's possession;
- The public records were made available to the individual, subject to payment, within the time frame estimated by the City to provide the records;
- Ninety (90) days have passed since the FOIA Coordinator notified the individual in writing that the public records were available for pickup or mailing;
- The individual is unable to show proof of prior payment to the City; and
- The FOIA Coordinator has calculated a detailed itemization that is the basis for the current written request's increased estimated fee deposit.

The FOIA Coordinator will not require an increased estimated fee deposit if any of the following apply:

- The person making the request is able to show proof of prior payment in full to the City;
- The City is subsequently paid in full for the applicable prior written request; or
- Three hundred sixty five (365) days have passed since the person made the request for which full payment was not remitted to the City.

Section 5: Calculation of Fees

A fee will **not** be charged for the labor cost of search, examination, review and the deletion and separation of exempt from nonexempt information **unless** failure to charge a fee would result in unreasonably high costs to the City because of the nature of the request in the particular instance, and the City specifically identifies the nature of the unreasonably high costs.

Costs for the search, examination review, and deletion and separation of exempt from non-exempt information are “unreasonably high” when they are excessive and beyond the normal or usual amount for those services (Attorney General Opinion 7083 of 2001) compared to the costs of the City’s usual FOIA requests, not compared to the City’s operating budget. (*Bloch v. Davison Community Schools*, Michigan Court of Appeals, Unpublished, April 26, 2011).

The following factors shall be used to determine an unreasonably high cost to the City:

- Volume of the public record requested
- Amount of time spent to search for, examine, review and separate exempt from non-exempt information in the record requested.
- Whether the public records are from more than one City department or whether various City offices are necessary to respond to the request.
- The available staffing to respond to the request.
- Any other similar factors identified by the FOIA Coordinator in responding to the particular request.

The City may charge for the following costs associated with processing a request:

- Labor costs associated with copying or duplication, which includes making paper copies, making digital copies, or transferring digital public records to non-paper physical media or through the Internet.
- Labor costs associated with searching for, locating and examining a requested public record.
- Labor costs associated with a review of a record to separate and delete information exempt from disclosure.
- The cost of copying or duplication, not including labor, of paper copies of public records. This may include the cost for copies of records already on the City’s website if the requestor asks for the City to make copies.
- The cost of computer discs, computer tapes or other digital or similar media when the requestor asks for records in non-paper physical media. This may include the cost for copies of records already on the City’s website if the requestor asks for the City to make copies.
- The cost to mail or send a public record to a requestor.

Labor costs will be calculated based on the following requirements:

- All labor costs will be estimated and charged in 15-minute increments, with all partial time increments rounded down.
- Labor costs will be charged at the hourly wage of the lowest-paid City employee capable of doing the work in the specific fee category, regardless of who actually performs work.
- The City may add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits, but in no case may it exceed the actual cost of fringe benefits.
- Overtime wages will not be included in labor costs unless agreed to by the requestor; overtime costs will not be used to calculate the fringe benefit cost.

The cost to provide records on non-paper physical media when so requested will be based on the following requirements:

- Computer disks, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
- This cost will only be assessed if the City has the technological capability necessary to provide the public record in the requested non-paper physical media format.
- The City will procure any non-paper media and will not accept media from the requestor in order to ensure integrity of the City's technology infrastructure.

The cost to provide paper copies of records will be based on the following requirements:

- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$.10 per sheet of paper. Copies for non-standard sized sheets of paper will reflect the actual cost of reproduction.
- The City may provide records using double-sided printing, if it is cost-saving and available.

The cost to mail records to a requestor will be based on the following requirements:

- The actual cost to mail public records using a reasonably economical and justified means.
- The City may charge for the least expensive form of postal delivery confirmation.
- No cost will be made for expedited shipping or insurance unless specified by the requestor.

If the FOIA Coordinator does not respond to a written request in a timely manner, the City must:

- Reduce the labor costs by 5% for each day the City exceeds the time permitted under FOIA up to a 50% maximum reduction, if **any** of the following applies:
 - The City's late response was willful and intentional,
 - The written request conveyed a request for information within the first 250 words of the body of a letter facsimile, email or email attachment, or
 - The written request included the words, characters, or abbreviations for "freedom of information," "information," "FOIA," "copy" or a recognizable misspelling of such, or legal code reference to MCL 15. 231, et seq. or 1976 Public Act 442 on the front of an envelope or in the subject line of an email, letter or facsimile cover page.
- Fully note the charge reduction in the Detailed Itemization of Costs Form.

Section 6: Waiver of Fees

The cost of the search for and copying of a public record may be waived or reduced if in the sole judgment of the FOIA Coordinator a waiver or reduced fee is in the public interest because it can be considered as primarily benefitting the general public.

Section 7: Discounted Fees

Indigence

The FOIA Coordinator will discount the first \$20.00 of the processing fee for a request if the person requesting a public record submits an affidavit stating that they are:

- Indigent and receiving specific public assistance, or

- If not receiving public assistance, stating facts demonstrating an inability to pay because of indigence.

An individual is not eligible to receive the waiver if:

- The requestor has previously received discounted copies of public records from the City twice during the calendar year; or
- The requestor requests information in connection with other persons who are offering or providing payment to make the request.

An affidavit is a sworn statement. The FOIA Coordinator may make a Fee Waiver Affidavit Form available for use by the public.

Nonprofit organization advocating for developmentally disabled or mentally ill individuals

The FOIA Coordinator will discount the first \$20.00 of the processing fee for a request from:

- A nonprofit organization formally designated by the state to carry out activities under subtitle C of the federal developmental disabilities assistance and bill of rights act of 2000, Public Law 106-402, and the protection and advocacy for individuals with mental illness act, Public Law 99-319, or their successors, if the request meets all of the following requirements:
 - Is made directly on behalf of the organization or its clients.
 - Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the mental health code, 1974 PA 258, MCL 330.1931.
 - Is accompanied by documentation of its designation by the state, if requested by the public body.

Section 8: Appeal of a Denial of a Public Record

When a requestor believes that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, he or she may appeal to the President of City Council by filing an appeal of the denial with the FOIA Coordinator. The appeal must be in writing, specifically state the word "appeal" and identify the reason or reasons the requestor is seeking a reversal of the denial.

Within 10 business days of receiving the appeal the President of City council will respond in writing by:

- Reversing the disclosure denial;
- Upholding the disclosure denial; or
- Reverse the disclosure denial in part and uphold the disclosure denial in part; or
- Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the President of City Council shall respond to the written appeal. The President of City council shall not issue more than 1 notice of extension for a particular written appeal.

If the President of City Council fails to respond to a written appeal, or if the President of City Council upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action in Ingham County Circuit Court.

Whether or not a requestor submitted an appeal of a denial to the President of City Council, he or she may file a civil action in Ingham County Circuit Court within 180 days after the City's final determination to deny the request.

If a court determines a public record is not exempt from disclosure, it shall order the City to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Failure to comply with an order of the court may be punished as contempt of court.

If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in such an action, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or City prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements.

If the court determines that the City has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the City to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

Section 9: Appeal of an Excessive FOIA Processing Fee

"Fee" means the total fee or any component of the total fee calculated under section 4 of the FOIA, including any deposit.

If a requestor believes that the fee charged by the City to process a FOIA request exceeds the amount permitted by state law or under this policy, he or she must first appeal to the President of City Council by submitting a written appeal for a fee reduction to the FOIA Coordinator.

The appeal must be in writing, specifically state the word "appeal" and identify how the required fee exceeds the amount permitted.

Within 10 business days after receiving the appeal, the President of City Council will respond in writing by:

- Waiving the fee;
- Reducing the fee and issuing a written determination indicating the specific basis that supports the remaining fee;
- Upholding the fee and issuing a written determination indicating the specific basis that supports the required fee; or
- Issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the President of City Council will respond to the written appeal. The President of City Council shall not issue more than 1 notice of extension for a particular written appeal.

Where the President of City Council reduces or upholds the fee, the determination must include a certification from the President of City Council that the statements in the determination are accurate and that the reduced fee amount complies with its publicly available procedures and guidelines and Section 4 of the FOIA.

Within 45 days after receiving notice of the President of City Council's determination of an appeal, the requesting person may commence a civil action in Ingham County Circuit Court for a fee reduction. If a civil action is commenced against the City for an excess fee, the City is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute. An action shall not be filed in circuit court unless one of the following applies:

- The President of City Council failed to respond to a written appeal as required, or
- The President of City Council issued a determination to a written appeal.

If a court determines that the City required a fee that exceeds the amount permitted under its publicly available procedures and guidelines or Section 4 of the FOIA, the court shall reduce the fee to a permissible amount. Failure to comply with an order of the court may be punished as contempt of court.

If the requesting person prevails in court by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages.

If the court determines that the City has arbitrarily and capriciously violated the FOIA by charging an excessive fee, the court shall order the City to pay a civil fine of \$500.00, which shall be deposited in the general fund of the state treasury. The court may also award, in addition to any actual or compensatory damages, punitive damages in the amount of \$500.00 to the person seeking the fee reduction. The fine and any damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

Section 10: Conflict with Prior FOIA Policies and Procedures; Effective Date

To the extent that these Procedures and Guidelines conflict with previous FOIA policies promulgated by the City, these Procedures and Guidelines are controlling. To the extent that any administrative rule promulgated by the FOIA Coordinator subsequent to the adoption of this resolution is found to be in conflict with any previous policy promulgated by the City, the administrative rule promulgated by the FOIA Coordinator is controlling.

To the extent that any provision of these Procedures and Guidelines or any administrative rule promulgated by the FOIA Coordinator pertaining to the release of public records is found to be in conflict with any State statute, the applicable statute shall control. The FOIA Coordinator is authorized to modify this policy and all previous policies adopted by the City, and the Written Public Summary, and to adopt Cost Worksheet(s) and administrative rules as he or she may deem necessary, to facilitate the legal review and processing of requests for public records made pursuant to Michigan's FOIA statute, provided that such modifications and rules are consistent with State law. The FOIA Coordinator shall inform the mayor and City Council of any changes to these Procedures and Guidelines or Written Public Summary.

These FOIA Policies and Guidelines become effective July 1, 2015.

Section 11: Additional Internal FOIA Procedures

I. TRAINING.

A. Consistent with longstanding OCA practice, all FOIA Personnel shall receive continuous and comprehensive FOIA training, including written certification thereof.

B. The training shall include, at a minimum:

1. Preliminary training before being designated as a FOIA Coordinator or Officer, including support staff, which shall include knowledge of and proficiency with:

- a. The Act;

- b. Leading cases and AG opinions under the Act;
 - c. FOIA Guidelines and Procedures.
- 2. All FOIA Personnel shall receive continuing legal education and training, including:
 - a. Annual participation in seminars focusing on FOIA, including the Institute for Continuing Legal Education (ICLE), the Michigan Municipal League (MML)/Michigan Association of Municipal Attorneys (MAMA), and other providers of such training;
 - b. Subscription to the MML's listserv, including especially threads and updates on FOIA decisions and issues, which are then circulated to the group;
 - c. Review and discussion of FOIA in OCA staff meetings, led by Chief Deputy City Attorney/FOIA Coordinator, including:
 - (i) All significant incoming advance sheets, court decisions, and AG opinions on FOIA issues;
 - (ii) Circulation such materials to all FOIA Personnel, along with analysis and application of those materials;
 - d. Interoffice memoranda to FOIA Personnel regarding updates on FOIA issues, cases, policies, and procedures.

II. FOIA REQUEST RECEIVED.

- A. Date stamp request when received (faxed requests do not need to be stamped; date is at top of fax copy).
- B. As soon as possible, but not later than the day after receipt, transmit the request to coordinating assistant.
- C. Coordinating assistant logs FOIA request on computerized log sheet:
 - 1. "Due out" date computed (5 working days after receipt; electronically received requests are logged in on the next day's date.).
 - 2. Print copy of updated log sheet for file.
 - 3. Determine departments to forward request to.

III. REQUEST RECORDS FROM APPLICABLE DEPARTMENT(S).

- A. Prepare request cover memo to department(s).
- B. Make copies and deliver hard or electronic copy to department where applicable records are retained.
- C. Keep the original request and a copy of the cover memo for OCA records.

IV. TRACKING AND EXTENSION NOTICE.

- A. Track request so that it is responded to according to the time frames established in the Act.
- B. If the request requires a voluminous amount of records to be copied or records are being requested of several departments, it may be necessary to send a notice of extension.

C. The extension notice is sent out on the first “due date” and extends the period for response an additional 10 business days.

V. RECEIPT AND REVIEW OF RECORDS REQUESTED AND RESPONSE.

A. RECEIPT AND REVIEW.

1. Once all documents/records are received, the assigned FOIA coordinator will review records for compliance with request and for any information which may need to be redacted due to applicable exemptions.
2. When review is complete, the coordinating assistant will determine costs (utilizing the cost worksheet) and the assigned FOIA coordinator will prepare cover letter to requestor.
3. Submit letter of response and copies to assigned attorney for review and signature.

B. RESPONSE: FOIA personnel will respond consistently with these Guidelines and Procedures.

VI. PROCEDURAL AND SUBSTANTIVE SAFEGUARDS PRIOR TO RESPONSE.

A. PROCEDURAL SAFEGUARDS.

1. Are all Social Security Numbers redacted?
2. Are all redactions illegible in production copy, including production of a copy of the redacted document instead of the original?
3. For law enforcement matters:
 - a. Is information properly redacted to prevent disclosure of confidential source or information?
 - b. Is information properly redacted to prevent disclosure of other exempted information?
 - (i) Identity of informant?
 - (ii) Identity of undercover officer, agent, or plain clothes officer?
 - (iii) Personal address or telephone number of active or retired law enforcement officers or their special skills?
 - (iv) Name, address, or telephone numbers of family members, relatives, children, or parents of active or retired law enforcement officers or agents?
 - (v) Operational instructions for law enforcement officers or agents?
 - (vi) Contents of staff manuals provided for law enforcement officers or agents?
 - (vii) Danger to the life or safety of law enforcement officers or agents or their families, relatives, children, parents, or those who furnish information to law enforcement departments or agencies?
 - (viii) Identity of person as a law enforcement officer, agent, or informant?
 - (ix) Personnel records of law enforcement agencies?
 - (x) Identity of residences that law enforcement agencies are requested to check in the absence of their owners or tenants?

4. For criminal prosecutions in which denial is based on pending investigation, has status of case been confirmed with ICPO?

B. SUBSTANTIVE SAFEGUARDS.

1. Have all exemptions been considered?
2. Where an exemption is claimed, has sufficient explanation been given?
3. For personnel matters, does response comply with Bullard-Plawicki?
4. Have privacy concerns been adequately addressed?
 - a. Has information covered by Health Insurance Portability Accountability Act of 1996 (HIPAA) been redacted?
 - b. Has information covered by the Public Health Code, 1978 PA 368, especially as codified at MCL 333.1531, been redacted?
 - c. Has information covered by the Mental Health Code, 1974 PA 258, especially as codified at MCL 330.1748, been redacted?
 - d. If not covered by HIPAA, the Public Health Code, or the Mental Health Code, has medical information been appropriately redacted, including especially a person's actual or alleged HIV status?
 - e. Have appropriate redactions been made for "[i]nformation of a personal nature if public disclosure of the information would constitute a clearly unwarranted invasion of an individual's privacy," MCL 243(1)(a)?

VII. FINALIZATION PROCEDURES.

- A. Mark FOIA log with date out, whether it was released or denied, and costs, if any.
- B. File packet in monthly folder in FOIA file cabinet.
- C. File billing sheet (copy of cover letter of released records) in FOIA receivables folder in FOIA file cabinet.

VIII. FOIA PAYMENT RECEIVED.

- A. When a check for payment of a FOIA request is received, these are the steps that should be taken in recording and processing the payment:
 1. Date stamp the cover letter and/or check.
 2. Hold checks until there are 3-5 of them to process.
 3. Pull the copy of the original cover letter (which serves as an invoice) from the "FOIA Receivables" file folder.

4. Mark the FOIA log with date received and check number.
5. Copy “invoice” cover letters to attach to receipt.
6. Prepare receipts.
7. Attach copy of “invoice” letter to receipt book.
8. Prepare deposit slip.
9. Give deposit slip and checks to 2nd person to take down to Treasurer’s for deposit.
10. Prepare envelopes for mailing receipts.
11. File “invoice” copies in “FOIA payments rec’d” file folder.
12. Get yellow copy of deposit slip back from 2nd person (after deposit with Treasurer) and file with other slips.

i Sections 1-10 of these Procedures and Guidelines are adapted from those promulgated by the Michigan Township Association and the Michigan Association of Municipal Attorneys.



CITY OF LANSING

CITY COUNCIL

124 W MICHIGAN AVE FL 10
LANSING MI 48933-1605

Department Template for Budget Power Point Presentations Budget Hearings - Committee of the Whole

January through the 4th Monday in March:

Respective departments will present their current year budget and programming overview at the Committee of the Whole meetings

1. Review of Performance Indicators (*5 minutes)
2. Financial Information (*8 minutes)
 - a. New initiatives proposed
 - i. What is the source of funding?
 - ii. What is the sustainability plan?
 - iii. How is it related to the City Council strategic goals?
 - b. Appropriations where the budget is projected to increase or decrease by more than 5%
 - c. CIP projects proposed
 - i. What is the source of funding?
 - ii. Describe the maintenance plan and associated costs
 - d. Fee and Revenue comments / proposals
3. Staffing Information (*2 minutes)
 - a. Current Staffing
 - b. Proposed new FTE positions
 - i. Is it currently outsourced?
 - a. If so, what is being outsourced?
 - ii. Is there an intention to outsource?
 - a. If so, why?
 - c. Current vacancies
 - i. Duration of vacancy
 - ii. Filled by temp or contractual employee?
4. Department Discretionary Materials (*5 minutes)
5. Questions from Council and Internal Auditor (10 minutes)

These presentations will be posted on the City website 24 hrs after presentation

***Approximate time based on Department and divisions in the Department**

As Adopted in 2015, under Resolution 2015-264 10/1/2015
1st Draft Working Copy for the FY2017/2018 Budget
Must be adopted by 10/1/2016 (Council Meeting 9/26/2016)

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Charter of the City of Lansing requires the Council to adopt an annual statement of Budget Policies and Priorities serving to guide the Administration in developing and presenting the Fiscal Year 2017-2018 budget; and

WHEREAS, the City Council, with joint efforts from the Administration and the Financial Health Team, established the following Mission/Vision and goals; and

The City of Lansing's mission is to ensure quality of life by:

- I. Promoting a vibrant, safe, healthy and inclusive community that provides opportunity for personal and economic growth for residents, businesses and visitors
 - a. The City's diverse economy generates and retains (sustains) high quality stable jobs that strengthen the sales and property tax base and contribute to an exceptional quality of life.
 - b. The City is governed in a transparent, efficient, accountable and responsive manner on behalf of all citizens.
 - c. The City's neighborhoods have various resources that allow them to be on a long term viable and appealing basis.
 - d. Support economic development initiatives that promote and retain new industries and markets.
- II. Securing short and long term financial stability through prudent management of city resources.
 - a. Wise stewardship of financial resources results in the City's ability to meet and exceed service demands and obligations without compromising the ability of future generations to do the same.
 - b. Pursue and facilitate shared services regionally that allow for cost savings and revenue enhancement.
 - c. Support initiatives that build the City's property and income tax base.
- III. Providing reliable, efficient and quality services that are responsive to the needs of residents and businesses.
 - a. The City's core services and infrastructure are efficiently, effectively and strategically delivered to enable economic development and to maintain citizen's health, safety and general welfare.

IV. Adopting sustainable practices that protect and enhance our cultural, natural and historical resources.

- a. Seek partnership opportunities with educational and corporate institutions and to maintain and expand our talent base.
- b. Create vibrant places, support events and activities that showcase our waterfront and green spaces.
- c. Raise the level of support for projects and initiatives that showcase local and state history.

V. Facilitating regional collaboration and connecting communities.

- a. The City has a safe efficient and well connected multimodal transportation system that contributes to a high quality of life and is sensitive to surrounding uses.
- b. Seek a balanced distribution of affordable housing in the tri-county region.

WHEREAS, the City Council would like to continue its commitment, if funding is available, to:

- Maintain and improve the City's infrastructure;
- Preserve and ensure clean, safe, well-maintained housing and neighborhoods;
- Provide comprehensive and affordable recreational programs and youth and family services;
- Explore alternatives for improved efficiency in service and delivery; and

WHEREAS, in considering these Fiscal Year 2017-2018 Budget priorities, the Administration is encouraged to ascertain the feasibility of funding any new programs through either the reduction of spending in existing program areas or the exploration of new funding sources that would assure the sustainability of the program; and

WHEREAS, the Administration is encouraged to supplement, not supplant any existing resources for police, fire and local roads with the General Fund revenues collected under this millage; and

WHEREAS, the Administration was requested to include in its Fiscal Year 2016-2017 Budget, the necessary funding to accomplish all requested plans, studies, evaluations, reviews, report submissions, program assessments, and analyses noted within this resolution below, or alternatively documentation as to why such activities are prohibitively costly; and

WHEREAS, the Lansing City Charter states that the budget proposal due on the fourth Monday in March of each year shall contain "the necessary information for understanding the budget" and how the proposal addresses the priorities proposed by the City Council.

NOW BE IT RESOLVED, that the Lansing City Council, hereby, acknowledges that the City will likely need to adopt, at best, a budget which recognizes the structural changes that are the result of lost revenues and future liabilities, encourages the Administration to prudently develop next year's budget with the following conditions:

- Protection of public and emergency services.

BE IT FURTHER RESOLVED, that the Administration review the attached statement of policies and priorities and implement those items that would boost efficiencies to increase productivity or reduce costs, that could replace existing programming, or if funding becomes available, that could be considered as new programming; and

BE IT FURTHER RESOLVED, that the Administration is requested to the extent practicable to include non-appropriations clauses and other similar out provisions in existing and future leases, and vendor contracts upon review of City Council; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Administration provide all requested plans, studies, evaluations, reviews, report submissions, program assessments, and analyses noted within this resolution below, or alternatively documentation as to why such activities were prohibitively costly, by the fourth Monday in March 2017.

- I. Promoting a vibrant, safe, healthy and inclusive community that provides opportunity for personal and economic growth for residents, businesses and visitors.
 - a) The City's diverse economy generates and retains (sustains) high quality stable jobs that strengthen the sales and property tax base and contribute to an exceptional quality of life
 - (1) Economic Development The Administration should require a beautification standard/expectation and a storm water mitigation plan for all proposed development projects that receive incentives from the City. Such standards should serve as a planning and economic development tool that will enhance property values, create jobs, and revitalize neighborhoods and business areas. These standards and plan should be presented to the City Council.
 - b) The City is governed in a transparent efficient accountable and responsive manner on behalf of all citizens.
 - (1) Administration is to present to City Council a delineation of recommendations of the Financial Health Team, noting which recommendations have been implemented, which are in the FY 2017/2018 proposed Budget, which are planned to be implemented

at a future time, and which have been determined not to be implemented at any time. A timetable for future implementation is requested.

- (2) Administration is to present to Council a Supplemental Accounting Level Detail. Administration is to develop a plan and timeline for the implementation of performance based budgeting.
 - (3) Develop and analyze a cost recovery schedule for City services.
 - (4) Develop a return on investment analysis for all proposed changes in City services.
 - (5) Identify and provide a complete and ongoing analysis of the City's structural deficits and the Administration's plan to eliminate the same.
 - (6) Incorporate into the proposed Budget a 5-Year projection of revenues and expenditures.
- c) The City's neighborhoods have various resources that allow them to be long term viable and appealing.
- (1) Administration research and issue a report on surrounding community models for neighborhood organization technical support structure within the City.
 - (2) Expedite Improving Abandoned Residential and Commercial Buildings: The City Attorney and the Planning and Neighborhood Development Department should continue expediting the forced improvements or closure of abandoned, neglected, and burned out houses and commercial buildings, and use the International Property Maintenance Code (IPMC).
 - (3) Grocery Stores: The Administration and the City of Lansing Economic Development Corporation should pursue grocery stores in the urban core using all State and Federal incentives, such as Public Act 231 of 2008 (Tax Incentive for the establishment of retail groceries promoting healthy foods), the Federal Community and Economic Development Healthy Food Financing Initiative and the issuance of a national request for proposals, to be shared with the Lansing City Council, to encourage the location of urban grocery stores.

- (4) Code Compliance: The Administration shall ensure the Code Compliance Department is conducting the appropriate inspections and issuing appropriate fines to ensure the buildings in our City are safe and that we have quality neighborhoods. The Administration is to conduct a study of the Code Compliance needs for the City and report back to the City Council on the findings of the study.

- d) Support economic development initiatives that promote and retain new industries and markets.

II. Securing short and long term financial stability through prudent management of City resources.

- a) Wise stewardship of financial resources results in the City's ability to meet and exceed service demands and obligations without compromising the ability of future generations to do the same.

- (1) Administration is requested to submit the following list of deliverables when they are due per City Charter and State Statue and adhere to them based on these priorities.

- (a) Comprehensive Annual Financial Audit (CAFR)- annually, no later than December 31st of each year, in accordance with the State Statue.

- (b) During the months of October, January and April of each fiscal year, the Director of Finance shall provide a written report showing the control of expenditures. (Charter- Article 7-110)

- (c) By September 1st of each fiscal year, the Administration shall provide a written budget update report so that Council can review their standings on current budget items in preparation for the Council required creation of Budget Policies and Priorities that need to be adopted by October 1, 2016. (Charter- Article 7-102)

- (d) No later than the last regular City Council meeting in January of each year, the Mayor shall present a state of the City report to the City Council and to the public. (Charter- Article 4 -102.4)

- (e) The Mayor shall submit the Proposed Budget with annual estimate of all revenues and annual appropriation of expenditures no later than the 4th Monday in March of each year. (Charter – Article 7-101)

- (f) Administration shall present to Council each department budget in preparation for Council to adopt the Budget Resolution no later than the 3rd Monday in May each year.
- b) Pursue and facilitate shared services regionally that allow for cost savings and revenue enhancement.
 - (1) Administration pursue partnerships with stakeholders, (intra municipal and intergovernmental), to align services in relation to public services.
 - (2) Facilities Plan: The Administration is requested to submit to the City Council a five and ten year Master Facilities Plan including school and county facilities that are used for current and future City uses. City Council is also requesting that the Administration continue to work on any delayed maintenance issues with regard to all City Facilities.
- c) Support initiatives that build City's property and income tax base

III. Providing reliable, efficient and quality services that are responsive to the needs of residents and businesses.

- a) The City's core services and infrastructure are efficiently, effectively and strategically delivered to enable economic development and to maintain citizen's health, safety and general welfare.
 - (1) Establish and report to the Lansing City Council uniform procedures for staff and contractors pertaining to code compliance remediation and reporting.
 - (2) City-wide Emergency Preparedness: The Administration should allocate sufficient funding for the Emergency Management Division to prepare City Employees with appropriate emergency training, continue efforts to prepare the public and neighborhood groups to assist in emergencies, and provide basic search and rescue operations and necessary emergency equipment at key City facilities, and communicate the plan to the Lansing City Council and the public. Updated and continual training should be provided. The Administration shall assist residents in times of unforeseen disasters.
 - (3) Fire Facilities Maintenance: The Administration is to conduct a study of the maintenance needs of all fire stations and report to City

Council an update of the status of the study by the 4th Monday of March.

- (4) Regionalism: The Administration should continue with the current regional efforts, and look into the possibility of expanding the efforts.
- (5) Police-Community Relations: The Police Department should continue to ensure and work on improving police-community relations. Reaffirm the City's commitment to equality and freedom for all people regardless of actual or perceived race, sex, religion, ancestry, national origin, color, age, height, weight, student status, marital status, familiar status, housing status, military discharge status, sexual orientation, gender identification or express, mental or physical limitation, and legal source of income.
- (6) Crime Prevention: The Administration is requested and encouraged to invest in programs for long-term crime prevention strategies.
- (7) Allocate Overtime for Zero Tolerance Areas: The Administration should earmark sufficient overtime funds for patrol officers to address problem solving to help curtail crime in zero tolerance areas.
- (8) Community Policing: Continue to develop programming and search for grant funds to increase COPs in neighborhoods with a goal not only to reduce crime but to stabilize the neighborhood over an extended period of time that will help to ensure its ability to rebound.
- (9) Leadership vacancies: Develop and implement a plan and timeline to fill all funded vacancies and provide a report to City Council.

IV. Adopting sustainable practices that protect and enhance our cultural, natural and historical resources.

- a) Seek partnership opportunities with educational and corporate institutions and to maintain and expand our talent base.
 - b) Create vibrant places, support events and activities that showcase our waterfront and green spaces.
- (1) Trail/Greenways The Administration should encourage the Parks and Recreation Department to work collaboratively with the Tri-County Planning Commission to develop/expand our citywide/regional trail system and seek opportunities to reduce expenses in this effort. Additionally, look at the feasibility of

connecting the River Trail (through bike lanes/Greenways to Trails) where there is currently no access to the trail.

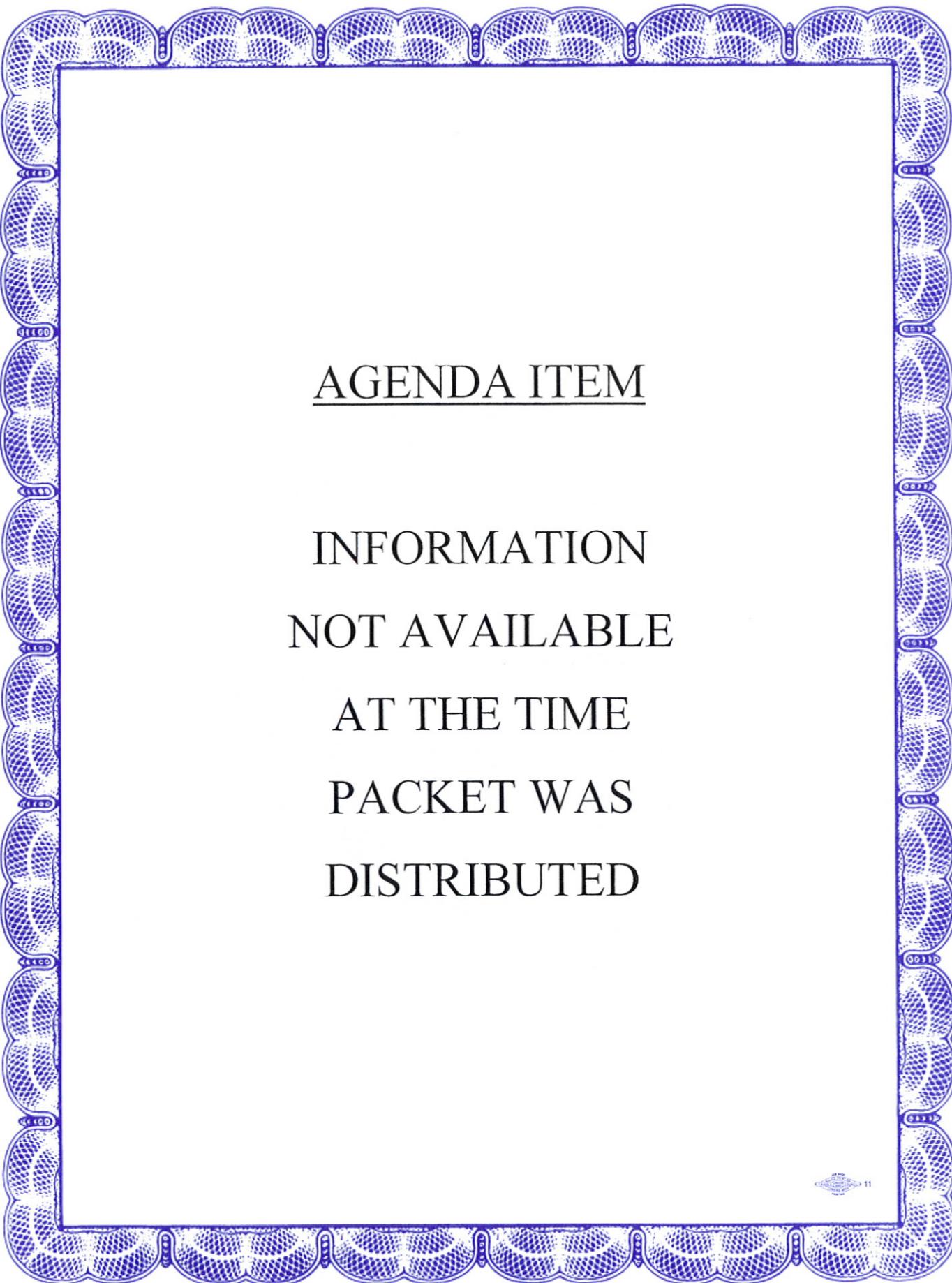
- c) Raise the level of support for projects and initiatives that showcase local and state history.

V. Facilitating regional collaboration and connecting communities

- a) The City has a safe efficient and well connected multimodal transportation system that contributes to a high quality of life and is sensitive to surrounding uses.

- (1) Corridor: City Council encourages the Administration continue to develop a plan and report its status to the Lansing City Council that seeks to revitalize and enhance all major corridors that lead into the City.

- b) Seek a balanced distribution of affordable housing in the tri-county region.
- c) Administration shall encourage the Lansing School District Board to re-enact a functional Intergovernmental Relations Committee that is comparative to our Intergovernmental Relations Committee.



AGENDA ITEM

INFORMATION
NOT AVAILABLE
AT THE TIME
PACKET WAS
DISTRIBUTED

June 18, 2016
RECEIVED

JUN 21 2016

Ladies and Gentlemen,

Yesterday my wife and I ~~and the~~ ^{LANSING CITY COUNCIL}

Scott Sunken Garden and the Cooley Garden. We enjoyed both of them very much and were impressed with their beauty and how well they are kept up.

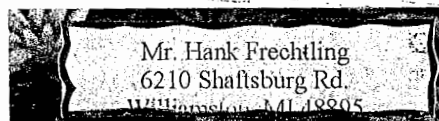
When we have visitors, we will show them these gardens. We already have, in the past, taken guests to the Cooley Garden.

I've heard that the Board of Water and Light wants to build an electric substation where the Scott Sunken Garden is. I think that would be a shame. That site is a place of true beauty amidst parking lots, pavement, and dilapidated buildings down the street. I don't know whether

underground or overhead infrastructure makes that site particularly advantageous for an electric substation, but if another site would be usable, please vote to preserve the Scott Sunken Garden as it is, where it is.

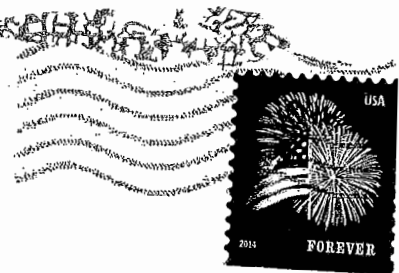
My best wishes to you all -

Hank Frechtling



LANSING, MI 48205

08 JUN 2016 PM 4:1



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JUN 21 2016

LANSING CITY COUNCIL

LANSING CITY COUNCIL
CAPITOL & MICHIGAN AVE
LANSING, MICHIGAN 48933

Zuchowski, Monica

From: Laura Salzer <dangerousljs@hotmail.com>
Sent: Wednesday, June 15, 2016 10:52 AM
To: Clerk, City

Sent from Mail for Windows 10

To the Planning Board and City Council from Judy Scott Teegardin:

As the granddaughter and daughter of the benefactors of the Scott Sunken Garden, I implore you to please consider these points before allowing BWL to build their substation. This garden was created in 1930 by my grandparents and is a beautiful treasure. It also is built on the Cahill foundation and is historic.

I would like to bring out some points against removal.

My grandparents were nature lovers and grandfather was a philanthropist and donated many parks in Lansing for the enjoyment of the people to enjoy nature and serenity. His Scott Woods Park was his bird sanctuary.

My grandfather Richard Scott also built Mary Sabina chapel (named after my great grandmothers) and the Temple House of the Methodist Church by the Capital for the enrichment of the people. He gave back his own money during the depression to the people, who trusted him when he was president of the City National Bank and director of Michigan National.

He set up entertainment for the REO employees while President and made sure the REO families were taken care of. He also was a member of the original Planning Board, instrumental in getting Atlas Forge, MI Screw Co., and other co. established. He was a leading advocate of river beautification, birds, and flowers.

It would be a tragedy to lose this park and what my grandfather meant to Lansing. Lansing needs it's green spaces! Please do not betray my family and kindness of my grandparents by taking beauty away. Make Lansing proud again!

Sincerely,
Judy Scott Tee

This email has been scanned by the City of Lansing Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>
